

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Philip Morris USA Inc., et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil No. 1:15-cv-01590 (APM)
)	
United States Food and Drug Administration,)	
et al.,)	
)	
Defendants.)	

RESPONSE TO INFORMATIONAL REQUEST

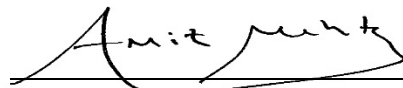
On October 21, 2015, the court received a “Notice of Informational Request” (“Notice”) filed by Plaintiffs. ECF No. 14. The Notice requested that the court inquire whether any lawyer at his former law firm, Zuckerman Spaeder LLP, “was involved in advising, counseling or representing” The Campaign for Tobacco-Free Kids (“CTFK”) “or any other anti-tobacco organization in connection with the Guidance” issued by the Food and Drug Administration on September 8, 2015, which is the subject of this litigation. *Id.* at 3. The court has made the requested inquiry and discloses the following.

CTFK is a current and past client of Zuckerman Spaeder. While the court was a partner of the firm, Zuckerman Spaeder provided legal counsel to CTFK relating to the comments that it submitted to the FDA in June 2013 about the draft Guidance. That legal advice pertained to, among other things, the “Label Changes” Question & Answer section of the draft Guidance. Zuckerman Spaeder did not provide any legal counsel to CTFK relating to the comments that it submitted to the FDA in November 2011 about the draft Guidance. The court did not participate in the firm’s representation of CTFK in connection with the draft Guidance; nor was the court

aware of those legal services when they were provided. Zuckerman Spaeder did not provide legal counsel to any of the organizations identified on page two of the Notice or any other anti-tobacco organization in connection with the draft Guidance.

The court adds to this disclosure that his spouse presently is a partner at Zuckerman Spaeder and was a partner in 2013, when the firm provided legal advice to CTFK about the draft Guidance. She did not participate in the firm's representation of CTFK.

Date: October 30, 2015


Amit P. Mehta
United States District Judge